

असाधारण
EXTRAORDINARY
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PART П—Section 1
प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संस्था की जाती है जिससे कि यह असग संकलन के रूप में रखा का सके।

Separate paging is given to this Part in order that it may be filed as a separate compflation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th March, 1938/Chaitra 10, 1910 (Saka)

The following Act of Parliament received the assent of the President on the 30th March, 1988, and is hereby published for general information:—

THE CONSTITUTION (FIFTY-NINTH AMENDMENT) ACT, 1988

[30th March, 1988.]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Fifty-ninth Amendment) Act, 1988.

Short title.

2. In article 356 of the Constitution, in clause (5), for the provise, the following proviso shall be substituted, namely:—

Amendment of article 356.

"Provided that nothing in this clause shall apply to the Proclamation issued under clause (1) on the 11th day of May, 1987 with respect to the State of Punjab.".

3. (1) After article 359 of the Constitution, the following article shall be inserted, namely:—

Insertion of new article 359A.

'359A. Notwithstanding anything in this Constitution, this Part shall, in relation to the State of Punjab, be subject to the following modifications, namely:—

Application of this Part to the State of Punjab

- (a) in article 352,-
 - (i) in clause (1),—
 - (A) for the opening portion, the following shall be substituted, namely:—

"If the President $i_{\rm S}$ satisfied that a grave emergency exists whereby—

- (a) the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or armed rebellion; or
- (b) the integrity of India is threatened by internal disturbance in the whole or any part of the territory of Punjab,

he may, by Proclamation, make a declaration to that effect in respect of the whole of Punjab or of such part of the territory thereof as may be specified in the Proclamation.";

- (B) in the Explanation,-
- (1) after the words "armed rebellion", the words ", or that the integrity of India is threatened by internal disturbance in the whole or any part of the territory of Punjab," shall be inserted;
- (2) after the words "or rebellion", the words "or disturbance" shall be inserted;
- (ii) in clause (9), after the words "armed rebellion", at both the places where they occur, the words "or internal disturbance" shall be inserted;
- (b) in article 358, in clause (1), after the words "or by external aggression", the words "or by armed rebellion, or that the integrity of India is threatened by internal disturbance in the whole or any part of the territory of Punjab," shall be inserted;
- (c) in article 359, for the words and figures "articles 20 and 21", at both the places where they occur, the word and figures "article 20" shall be substituted.'.
- (2) The amendment made to the Constitution by sub-section (1) shall cease to operate on the expiry of a period of two years from the commencement of this Act, except as respects things done or omitted to be done before such cesser.

S. RAMAIAH,

Secy, to the Govt. of India.